

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

D. Hayes
#9 Reg. to
W/Draw Finality
5/8/98

Title: **System for Marketing Goods and)
Services Utilizing Computerized)
Central and Remote Facilities)**

Inventor: Stephen C. Wren) Group 2700

Serial No.: 08/650,834) Ms. Gail Hayes
Supervisory Examiner

Filed: May 20, 1996)

Request for Withdrawal of Final Rejection

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Pursuant to Section 706.07(e) of the Manual of Patent Examining Procedure a request is made herein for the withdrawal of the final rejection in the above-identified application dated December 31, 1997.

The final rejection arrived while applicant's attorney was out of town. Hence the attorney did not have an opportunity to study the final during the Advisory Action period. He therefore filed a notice of appeal. While working on the appeal brief it was realized that apparently through an inadvertent oversight the effective date of the claimed invention had been overlooked. This application is a continuation-in-part of copending U.S. applications Ser. No. 08/268,309, filed June

29, 1994; Ser. No. 08/264,184, filed June 22, 1994; Ser. No. 08/051,743, filed April 22, 1993; and Ser. No. 07/855,099, filed March 20, 1992, all of which were incorporated in the application by reference.

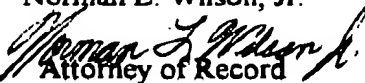
Claims, 6 through 9, were rejected under 35 U.S.C. 103(a) as being unpatentable over an article in the January 9, 1995 *Advertising Age* in view of *Netscape Navigator* software. The parent of the application herein was filed March 20, 1992 (Ser. No. 07/855,099) following a Disclosure Document filed March 16, 1992. These two documents substantially disclose the subject matter now being claimed, and that claimed subject matter is unquestionably disclosed in a continuation-in-part filed April 22, 1993 (Ser. No. 08/051,743). Successive continuations have maintained continuity without a hiatus to the filing of the present application containing the claims now finally rejected. The final rejection failed to take into account the fact that Applicant predates the 1995 *Advertising Age* article by almost three years.

To show the early date of invention we have attached claim 6 showing each limitation in the claim along with dates and line numbers in the first continuation-in-part (grandparent) application. The first grandparent application was filed March 20, 1992 (Ser. No. 07/855,099), following the filing of a Disclosure Document, on March 16, 1992. These support the claims substantially, and the claimed subject matter is unquestionably disclosed in a continuation-in-part filed April 22, 1993 (Ser. No. 08/051,743). All of the limitations in claim 6 herein can be found explicitly disclosed in the 1993 application. However since the claim 10 was partially drafted by the Examiner and agreed upon by both because it raises fewer questions and is supported clearly in the 1992 application, and even in the disclosure document, that claim is believed to advance the prosecution. This is particularly true

No.08/264,184, filed June 22, 1994; Ser. No. 08/051,743, filed April 22, 1993; and Ser. No. 07/855,099, filed March 20, 1992, all of which were incorporated in the application by reference.

Respectfully submitted,

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